

Q: Where may I get forms?

A: You can obtain forms by visiting the department requesting them from the forms line 603-271-2192, or from our web site revenue.nh.gov.

Q. Can I file via fax?

A. No, we do not accept returns via fax, and we do not fax tax forms.

Q. Who do I contact with questions?

A. You may contact our Discovery Bureau at (603) 271-8454 or (603) 271-8456 for assistance.

If you wish to visit the Department for any type of assistance, our normal business hours are 8:00 am to 4:30 pm.

Q: How do I get to the Department's Main Office?

A: From I-93 North & South Follow I-93 to Exit 15E. Take Exit 15E to I-393 East. Proceed East on I-393 to Exit 3. Take Exit 3 to Route 106 South. Follow Route 106 South through 3 traffic lights approximately 2.1 miles. After the intersection of Pembroke Road and Route 106 South, watch for **Chenell Drive** which will be on the right. Turn onto **Chenell Drive**, stay straight and the building will be on the right.

From I-89
Take I-89 South to the junction of I-93 North. Proceed North to Exit 15E, and follow directions above.

From Route 4 (202&9)
Follow Route 4 (202&9) West to the Route 106 interchange. Go left on Route 106 South and follow the directions above.

Administrative Rules and Laws: Administrative Rules and Laws are available free from our web site at revenue.nh.gov or by visiting any New Hampshire State Depository Library where copies can be made for a fee.

ADMINISTRATION, 45 Chenell Drive, PO Box 457, Concord, NH 03302-0457 (603) 271-2318 Fax (603) 271-6121.

G. Philip Blatsos, Commissioner (603) 271-2318
Barbara T. Reid, Assistant Commissioner (603) 271-2318
John F. Hayes, Revenue Counsel (603) 271-2318
Robin A. Pavaglio, Taxpayer Advocate (603) 271-8481

AUDIT DIVISION, PO Box 457, Concord, NH 03302-0457 (603) 271-3400 Fax (603) 271-6146

Maurice P. Gilbert, Director
Donna C. Arcand, Assistant Director
Estate & Legacy Taxes (603) 271-2580

COLLECTION DIVISION, PO Box 454, Concord, NH 03302-0454 (603) 271-3701 Fax (603) 271-1756

Jan M. Wickens, Director
Alois J. Tittmann, Assistant Director

COMMUNITY SERVICES DIVISION, 57 Regional Drive, PO Box 487, Concord, NH 03302-0487 (603) 271-2687 Fax (603) 271-1161

Robert M. Boley, AAS, Director
Barbara Robinson, Assistant Director
Assessments (603) 271-2687
Equalization (603) 271-2687
Municipal Finance Bureau (603) 271-3397

DISCOVERY BUREAU, PO Box 457, Concord, NH 03302-0457 (603) 271-8454

John Lighthall, Operations Manager

DOCUMENT PROCESSING DIVISION, PO Box 637, Concord, NH 03302-0637 (603) 271-2186

Taxpayer Assistance (603) 271-2186
DRA Web Site: revenue.nh.gov
Tax Forms - State of NH (603) 271-2192

HEARINGS BUREAU, 57 Regional Drive, PO Box 1467, Concord, NH 03302-1467 (603) 271-1304

Mark J. Bennett, Hearing Officer

LOW AND MODERATE INCOME HOMEOWNERS PROPERTY TAX RELIEF, PO Box 299, Concord, NH 03302-0299 (603) 271-6000

Individuals who need auxiliary aids for effective communications in programs and services of the New Hampshire Department of Revenue Administration are invited to make their needs and preferences known. Individuals with hearing or speech impairments may call TDD Access: Relay NH 1-800-735-2964.

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE ADMINISTRATION**

**FREQUENTLY ASKED QUESTIONS
(FAQ's)**

**AUDIT DIVISION
DISCOVERY BUREAU**



The New Hampshire Department of Revenue Administration offers this publication of answers to the most frequently asked questions. While we have attempted to identify the most common concerns, this publication does not address every situation, set of facts, or circumstances. Our goal is to develop a tax administration system that is fair and efficient, with taxpayers having the highest degree of confidence in the integrity of the Department.

Should you have questions or wish to request additional educational services or publications for use in state tax instruction, please feel free to send your request in writing to our NH DRA Customer Education Committee, PO Box 457, Concord, NH 03302-0457.

Visit us on the web @:
revenue.nh.gov

Q: I just received a letter from the NH DRA Discovery Bureau. Why?

A: You were mailed an inquiry because it appears from data received from our various sources that you met the dollar threshold for filing a return, but we do not have a record of it on our system. You may or may not be required to file, but you should check your records or contact the department to be sure, as interest and/or penalties may be accruing on any outstanding taxes due.

Q. Why did you take so long to inform me about the possibility of having to file?

A. Only recently has the Department developed the ability to contact all those taxpayers who may be required to file the various taxes. While we didn't have the information necessary to contact you directly we actively educate and inform the public about their tax responsibilities.

Q: What is the Business Profit Tax (BPT)?

A: A Business Profits Tax is assessed on income from conducting business activity within the state. For multi-state businesses, income is apportioned, using a weighted sales factor of 2 and the payroll and property factors. Organizations operating a unitary business must use combined reporting in filing their NH return.

Q: Who must file the BPT?

A: Any business organization with a taxable presence and business activity within the state. However, organizations with \$50,000 or less of gross receipts from all their activities are not required to file a return.

Q: What is the Business Enterprise Tax (BET)?

A: The Business Enterprise Tax is assessed on the enterprise value tax base, which is the sum of all compensation paid or accrued, interest paid or accrued, and dividend paid by the business enterprise, after special adjustments and apportionment.

Q: Who must file the BET?

A: For taxable periods prior to July 1, 2001, enterprises with \$100,000 of gross business receipts from all their activities or an enterprise value tax base of more than \$50,000, were required to file a return. For taxable periods subsequent to June 30, 2001 enterprises with more than \$150,000 of gross business receipts from all their activities or an enterprise value tax base more than \$75,000, are required to file a return.

Q: What is the Interest and Dividend Tax (I&D)?

A: It is a tax on interest and dividend income. Currently, the State of New Hampshire does not have an income tax on an individual's reported W-2 wages and capital gains.

Q: Who must file the I&D?

A: Resident individuals, partnerships, limited liability companies and fiduciaries with non-transferable shares earning interest and dividend taxable income of more than \$2,400 annually (\$4,800 for joint filers). In addition, the following exemptions may also apply: 1) a \$1,200 exemption is available for residents who are 65 years of age or older; 2) a \$1,200 exemption is available for residents who are blind regardless of their age; and 3) a \$1,200 exemption is available to disabled individuals who are unable to work, provided they have not reached their 65th birthday. These exemption amounts are applicable for tax years 1995 and forward.

Q. For the business taxes, I did not make \$50,000. Why did you write me?

A. The filing threshold is based upon the total gross receipts, not the federal gross income or the net profits.

For proprietorships, the numbers you should review to determine if you are required to file are the total receipts from Schedule C line 1 **NOT** line 7 and from Schedule E, line 3 totals and the gross sale of business assets.

Q. Most of my income was earned in other states, I did not earn \$50,000 of business income in NH that year.

A. The filing threshold is based on total gross receipts from all sources. If you had any activity in NH, you must file. You should apportion your income if you were subject to taxes in another state.

Q. I received a letter regarding the NH Interest & Dividends Tax, but I did not live in NH in the year for which the DRA contacted me. Why did I receive a letter?

A. You filed that year's federal tax return with a NH mailing address. If you met the definition of a resident or inhabitant for any part of that tax year, you are required to file.

To assist you in determining if you are a NH resident, please complete and remit the Discovery Bureau questionnaire sent to you.

Q. You say that you received information from the IRS. Do you have a copy of my return?

A. No, we do not have a copy. In accordance with federal income tax laws, we receive tapes which have data on them from the federal tax return you filed. Based on this data, it appears that you met the filing threshold for the tax year at issue.

Q. I don't have my records that far back, where can I get them?

A. Ask the Internal Revenue Service for a complete copy of your return by calling 800-829-1040. If the IRS does not have the records either, you may contact the Discovery Bureau for further assistance.

Q. You only contacted me about one tax year, what about prior and subsequent tax years?

A. If you are required to file tax returns for periods other than the one we contacted you about, please do so as soon as possible as penalties and interest may be accruing. If not, you may be contacted again.

Q. May I get an extension of time to fill out the return?

A. The Department cannot extend the time to file an overdue tax return. However, you should take the time you need to file a complete and correct tax return with all applicable federal schedules attached.

Q. I thought that I filed the tax return about which you are inquiring. What do I do?

A. Check your tax records to see if you have a copy of the return and/or the cancelled check(s). Please send copies of both to us and we will initiate a search to try to resolve the issue.

Q. What do I do if the individual named in your letter is now deceased?

A. It is the responsibility of the executor/executrix of the Estate to ensure that all outstanding tax liabilities are taken care of prior to closing the estate. Please provide a copy of the letter to that individual and notify the Discovery Bureau of the date of death.

Q. Why were my forms returned to me with a form letter called "an incomplete notice"?

A. Documents are returned or incomplete notices are sent for common filing errors, such as:

1. Return unsigned;
2. Check unsigned;
3. Written and numeric amounts on check not the same;
4. Nontaxable income not coded on Line 3 on Interest & Dividends tax return;
5. Form number sequence not followed for business return;
6. Forms not filled out-see attached is not acceptable;
7. Return filed without payment;
8. Incorrect Social Security Number or Federal Employer Identification Number;
9. Proprietorship returns should not be filed jointly when only one spouse has a business.